

National Violation Tracker

Background

Across the country, the Federal Emergency Management Agency (FEMA), states, and other stakeholder organizations identify issues reflecting community non-compliance with the National Flood Insurance Program (NFIP). States, FEMA regional offices, and FEMA HQ identify and track property floodplain management violations locally in a variety of ways, including through Community Assistance Visit (CAV)/Community Assistance Contact (CAC) notes in the Community Information System (CIS). Information regarding violations is often incomplete, and it may be inconsistent from one FEMA region to another or from one state to another. FEMA recognized the need for a better way to record and maintain accurate and consistent lists of floodplain management (FPM) violations.

Purpose

As the organization charged with overseeing a compliance program as part of the NFIP, the FEMA developed the National Violation Tracker (NVT) to be a standardized, centralized system for the documentation and tracking of known FPM violations. We use the NVT to document potential violations (PVs), both structural and non-structural, based on technical data. The NVT is not meant to replace conducting CAVs, CACs, or compliance audits to identify the violations themselves but serves as a single, unified system with easy access to consistent information. As the NVT evolves, it will be integrated with the CIS and any new compliance audit system to be a single source for tracking all deficiencies and FPM violations without duplicating effort.

Use of the NVT and its capabilities provides several benefits to floodplain management stakeholders across the country. The NVT consolidates the patchwork of different violation tracking systems used by the states and FEMA regions into a single module of FEMA's system of record, CIS. It is easy to view, enter, and edit the violations data. Violations can be entered as single entries, or users can work with FEMA staff to upload violations in batches.

The NVT provides a central location and standardized format for consistent information regarding violations nationwide. It allows for easy access to the data, sortable by community, county, state, or FEMA region, and users can create reports of all FPM violations in a selected geographical area (e.g., state, FEMA region). The NVT provides visibility on the FEMA regions' and states' compliance workload, and documents staff accomplishments by tracking violation resolution. Finally, the NVT interfaces with PIVOT, the NFIP's system of record, to exclude properties with low-floor violations from receiving a Community Rating System (CRS) discount on their flood insurance policies. Under Risk Rating 1.0, these properties were identified by agents at the time of rating and known as minus-rated policies. The new insurance rating methodology, Risk Rating 2.0, no longer uses Base Flood Elevation (BFE) as a direct variable for insurance rating, so agents are unable to identify minus-rated policies. Through the NVT, FEMA currently provides the list of only low-floor violations to PIVOT to continue the previous process of excluding post-Flood Insurance Rate Map (FIRM) minus-rated policies from receiving the CRS discount.

NVT Data Sources

FEMA also developed the NVT add-on/user interface in CIS, which is FEMA's system of record for all floodplain management activities, to include FPM violations. Data in the NVT comes primarily from four sources.



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NVT Data Sources

- An inventory of all previous minus-rated policies from PIVOT: Post-FIRM minus-rated policies listed in PIVOT as of September 30, 2021, for both CRS and non-CRS communities, are included in the NVT. For the minus-rated policy data, buildings in A/V zones with only elevators below the BFE and all other machinery and equipment above the BFE were not included in NVT.
- PVs identified during Letter of Map Change (LOMC) application reviews: The data in the NVT includes historic and ongoing PVs identified by FEMA's contractors during the review of LOMC requests, and approved by HQ FPMD prior to issuance of PV memos.
- Contractor-developed CRS annual Elevation Certificate (EC) recertification reviews: The NVT includes PVs identified based on submitted EC data during CRS annual EC reviews.
- Regional Floodplain Management and Insurance Branch and state NFIP compliance work, including CAVs/CACs, General Technical Assistance and other engagements: The NVT includes existing violation data from several regions that provided their historic CAV/CAC findings.

The NVT is being updated by State NFIP Coordinator staff, FEMA regional floodplain management staff, and HQ staff. Regions and states are specifically responsible for entering new violations identified through their CAVs/CACs. Violations from CAVs/CACs are identified by the regions and states based on technical backup data; if there is no data in the CAV/CAC finding to support a violation, it is not entered into the NVT.

There is support to add violations from the LOMCs and CRS data sources. These two data sources will be periodically refreshed with new violations and potential violations.

A property identified with a low-floor violation in the NVT will also be added to the CRS Discount Exclusion list. Regions and states are responsible for editing information for all existing violations in the NVT to indicate whether a property's violation has been mitigated.

Removing a Property from the CRS Discount Exclusion List

A policyholder can request a change to their CRS discount eligibility status by contacting their community Floodplain Administrator (FPA) to determine the appropriate documentation required to show compliance. Upon review of the documentation and determination that the structure is compliant with the floodplain management standards, the community FPA contacts their State NFIP Coordinator or FEMA regional office to update the violation status in the NVT and remove the property from the CRS Discount Exclusion list.

The NVT interfaces with PIVOT to ensure that properties with low-floor violations in CRS communities are excluded from receiving the CRS discount on their flood insurance premiums. This interface will occur twice yearly, according to FEMA's data management plan for these systems. A structure brought into compliance will receive the CRS discount at the next policy renewal date, provided the data interface has occurred by that time; if the timing is such that the interface has not occurred, the discount would be delayed until the next renewal date. The discount is applied to the full risk premium, not while it is on the glide path as a property in a CRS community starts the glide path with a CRS discounted rate. A property on a glide path will reach the full risk premium sooner due to the CRS discount.

For more information on the NVT, please contact Charles Baker (Charles.Baker@fema.dhs.gov) at FEMA HQ.